

Appendix

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Appendix A-1

Idaho Forestry Program Enrollment Agreement

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Idaho Forestry Program

Enrollment Agreement

- ☐ Enrollee acknowledges receiving a copy of the terms of the Idaho Forestry Program (IFP).
- ☐ This enrollment form constitutes a legally enforceable contract between the Idaho Department of Lands ("IDL") and the Enrollee. In exchange for the benefits of enrollment, including incidental take coverage for the take of threatened or endangered species, Enrollee agrees to abide by the supplemental forest practice measures set forth in the Idaho Forestry Program, including programmatic changes resulting from adaptive management and site-specific changes required to address changed circumstances.
- Enrollee authorizes the Idaho Department of Lands (IDL) or authorized representative access, upon reasonable notice, to all enrolled lands for the purpose of monitoring compliance with the terms of the IFP and the terms of this enrollment agreement.
 - Enrollee will file an annual report including a summation of performance on all IFP activities, including:
 - Hot Spot reporting and repair;
 - stream classification and mapping;
 - road system mapping and inventory;
 - road construction, upgrading, repairs, and abandonments;
 - interim or final results from adaptive management activities.
 - Enrollee will prepare and submit any site specific plans (alternative, other suitable, or localized), if applicable, at the time of Forest Practice Notification acceptance.
- ☐ Enrollee agrees to fully comply with any written direction from the IDL to correct non-compliance with the terms of the IFP or the requirements of the Idaho Forest Practices Act (IFPA), including mitigation (either on or off-site) for any resource damage that has occurred. Failure to comply with such written direction may result in disenrollment from the IFP, enforcement of IFPA penalty provisions, and loss of coverage for the incidental taking of endangered species afforded the Enrollee under the IFP through the provisions of the Endangered Species Act, 16 U.S.C. 1531 et seq.
- ☐ Enrollee submits the following exhibits with this enrollment agreement, so that such exhibits are part of this agreement as if set forth explicitly herein:
- Exhibit A: Legal description and map(s) of lands to be enrolled;
 - Exhibit B: Detailed schedule for implementation of commitments required by the terms of the IFP;
 - Exhibit C: Explanation of Enrollee's system of record keeping;
 - Exhibit D: Enrollment Plan explaining how the Enrollee will implement the following IFP terms:
 - internal auditing procedures that will be used to check compliance;
 - procedures for reporting changed circumstances;
 - procedures for reporting and repair of Hot Spots;
 - procedures for tracking road conditions and identifying stream classes.
- ☐ This enrollment agreement will terminate on _____, 2037, provided, that either party may terminate this enrollment agreement at any time upon thirty (30) days notice to the other party. This enrollment agreement may also be terminated by IDL if Enrollee is issued five or more non-compliance alerts in a three year period or if IDL determines that the Enrollee's non-compliance is causing or may cause unacceptable levels of resource damage, is resulting in unanticipated levels of harm to threatened or endangered species, or Enrollee is not cooperating in curtailing, correcting, or mitigating impacts related to non-compliance. The following obligations shall survive termination of this agreement: (1) completion of road upgrades and treatment of hot spots within the boundaries of any area harvested prior to disenrollment; (2) completion of all other actions scheduled to be completed through the time of disenrollment, as set forth in Exhibit B hereto.

Enrollee Signature

Date

Printed Name

Company Name and Title

Approved By:

Program Manager

Date

Enrollment Form Guidance: **[back of Enrollment Form]**

- Legal Description and Maps- The map(s) must include: roads, streams, areas of high erosion hazard, and ownership. While the IFP requires the Enrollee to map and update roads and streams subsequent to enrollment, the maps presented at the time of enrollment must indicate roads and streams based on the Enrollees' best knowledge. A map scale of 1:24,000 or less is required. Both maps and a legal description are required. A GIS based system is preferred, but not required.

Enrollment in the IFP will not be considered an encumbrance on the enrolled properties as the IFP is voluntary. If ownership changes hands, the properties must be re-enrolled. If lands are sold or disenrolled, IDL must be notified within 30 days. Non-commercial forest lands can be included at the Enrollees' option, except for "converted lands". There is no requirement in this IFP for the property ownership shown on the map to be surveyed, blazed, flagged or otherwise located in the field.

The IDL will need to develop a database and storage protocol/process for this data.

- Detailed Schedule- See the "TIMETABLE FOR ENROLLEE SCHEDULE AND IMPLEMENTATION REQUIREMENTS" and associated discussion in the Enrollment section for the items to be addressed and the timeframe they are to be completed. The schedule must show sufficient detail as to where and when the drainage/ownership block or other logical subdivision will be inventoried.
- Record Keeping- See the relevant discussion in the Record Keeping and Reporting section.
- Enrollment Plan- See the relevant discussion in the Compliance, Inspection and Audits section.

A Forest Practice Notification/Compliance is required prior to commencing a Forest Practice.

Compliance is the responsibility of the Enrollee. This is different than the IFPA which places responsibility on the operator.

Appendix A-2

Idaho Forestry Program
Supplemental Notification Form

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Idaho Forestry Program
Supplemental Notification Form

Slash District _____

6th-level HUC Watershed Name and # _____

Compliance/Notification number _____

If IFPA Notification – Certificate of Compliance is not required (N/A above)

CHECK ROAD REPAIR METHOD BELOW

IDL Forest Management Project (for Road Maintenance) _____

Enrollee hard money repair _____

Other (describe) _____

Please check all boxes that apply

- ☐ Landowner is an Idaho Forestry Program Enrollee
- ☐ Harvest planned within a Class I Riparian Protection Zone
- ☐ Harvest planned within a Class IIa Riparian Protection Zone
- ☐ Road Construction planned on slopes over 31%
- ☐ Road Construction planned within a Class I Riparian Protection Zone
- ☐ Road Construction planned within a Class IIa or Class II Riparian Protection Zone
- ☐ Road Construction includes new or upgraded Class I stream crossing(s)
- ☐ Road Reconstruction/upgrading includes new or upgraded Class I stream crossing(s)

Enrollee Representative Signature

Date

Printed Name

Company Name and Title

Appendix A-3

Operation Specific Plan Checklist Riparian Measures

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OPERATION SPECIFIC PLAN
SITE SPECIFIC RIPARIAN MEASURES
COMPLIANCE / NOTIFICATION #: _____

- 1) Riparian term under which the site specific/alternative measure is being proposed/requested:
- ☐ Not applicable- no alternative measures, approved plans, or variances needed
 - ☐ Site specific stream measures, [II.B.2.b.i.], the general term providing for landowners to design site specific stream protection measures for both Class I and Class IIa streams that must be approved by the IDL Technical Team.
 - ☐ To allow harvest within the No Harvest Zone of Class I streams pending review and approval by the IDL, [II.B.2.b.ii.(a).ii] (Approval by the IDL Technical Team.)
 - ☐ To allow yarding through the No Harvest Zone of Class I streams, pending review and approval by the IDL, [II.B.2.b.ii.(a).iii]
 - ☐ To allow placement of LWD in Class I streams pending review and approval by the IDL Technical Team, [II.B.2.b.ii.(a).iv]
 - ☐ To develop a tree retention plan where the 88 trees per acre minimum is not possible to maintain, [II.B.2.b.ii.(b).iii] (Approval by the IDL Technical Team.)
 - ☐ To allow for removal of LWD from Class I and Class IIa streams pending review and approval by the IDL, [II.B.2.b.iv.] (Approval by the IDL Technical Team.)
 - ☐ Other:

- 2) For each location or term checked above attach a map with sufficient detail indicating where the proposed action can be located in the field along with the GPS coordinates.
- 3) For each term checked above attach a justification statement of why the proposed alternate plan is needed and how the proposed site specific BMP's or additional practices will meet the approval criteria in the IFP Field Implementation Manual for the individual term.

_____ Enrollee/applicant	_____ Date	_____ Printed Name
_____ IDL Authorized Agent	_____ Date	_____ Printed Name

Appendix A-4

Operation Specific Plan Checklist Road Measures

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OPERATION SPECIFIC PLAN
SITE SPECIFIC ROAD MANAGEMENT MEASURES
COMPLIANCE / NOTIFICATION #: _____

- 1) Road Management term(s) under which the site specific/alternative measure is being proposed/requested:
- ☐ Not applicable- no alternative measures, approved plans, or variances needed
 - ☐ Road(s) to be constructed on slopes over 60% and/or in unstable or erodible soils pending review and approval by the IDL, [II.B.2.c.i.(a)]
 - ☐ Road(s) to be constructed within the RPZ pending review and approval by the IDL, [II.B.2.c.i.(d)]
 - ☐ Use of alternative sediment control measures within the RPZ, [II.B.2.c.i.(d)]
 - ☐ Use of alternative culvert inlet erosion control measures on culverts 24" and greater, [II.B.2.c.i.(e)]
 - ☐ Use of alternative tread surface stabilization over stream crossings in areas of high erosion hazard, [II.B.2.c.i.(g)]
 - ☐ Use of a localized method to control road tread erosion on new roads pending approval by the IDL, [II.B.2.c.i.(h)]
 - ☐ Roads to be constructed through seeps and springs, [II.B.2.c.i.(j)]
 - ☐ Roads to be built over riparian zone with multiple channels, [II.B.2.c.i.(k)]
 - ☐ Use of a localized method to control road tread erosion from existing roads within a Class I RPZ and existing roads contributing excess sediment to a Class I RPZ pending approval by the IDL, [II.B.2.c.ii.(b)i)]
 - ☐ Not intending to relocate roads within the RPZ where reconstruction or upgrading is necessary or to minimize the number of crossings within the drainage transportation system during reconstruction or upgrading, [II.B.2.c.ii.(b)iv)]
 - ☐ Other (**Indicate whether any of the above checked terms are addressed in Enrollees' commitment documents and have been justified under a programmatic proposal**):

- 2) For each location or term checked above attach a map with sufficient detail indicating where the proposed action can be located in the field along with the GPS coordinates.
- 3) For each term checked above attach a justification statement of why the proposed alternate plan is needed and how the proposed site specific BMP's or additional practices will meet the approval criteria in the IFP Field Implementation Manual for the individual term. A justification statement is not necessary if the proposal was previously addressed in the Enrollee commitment process as a programmatic approach.

_____	_____	_____
Enrollee/applicant	Date	Printed Name
_____	_____	_____
IDL Authorized Agent	Date	Printed Name

Appendix A-5

Idaho Forestry Program
Inspection Report

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IDAHO DEPARTMENT OF LANDS

IDAHO FORESTRY PROGRAM INSPECTION REPORT

Enrollment No:

Notice No:

Inspection Date:

Page __ of __

ENROLLEE

OPERATOR

__ Contacted __ Present on Location

__ Contacted __ Present on Location

Subdivision

Section

Township

Range

Acres/miles Inspected

HUC 6 or CWE drainage:

SPECIAL CONDITIONS	FOREST PRACTICES
Class I Stream:	- Harvesting
Class IIa Stream:	- Road Construction
Slopes >31%:	- Road Reconstruction
Unstable/Erodible Soils:	- Hot Spot Upgrade
:	-
Follow-Up Inspection	

X - Inspection **NA** - Not Applicable **NI** - Not Inspected

GENERAL TERMS		Comp	Non-Comp	ROAD RECONST. TERMS		Comp	Non-Comp
Term#							
	List Site Specific Plan(s) or Variance			c.ii.(a)i) & (b)ii)	Crossing Upgrades		
				c.ii.(a)ii)	Hot Spots		
				c.ii.(b)i)	Road Cross Drainage		
				c.ii.(b)iii)	Supplemental Filtration		
				c.ii.(b)iv)	Road Relocation		
					Other		
	Enrollment Plan						
	Meets IFPA						

RIPARIAN TERMS			ROAD CONSTRUCTION TERMS		
b.ii.(a)i)	No Harvest Zones		c.i.(a)	60%/Unstable Locations	
b.ii.(a)ii)	Harvest in No-Harvest Zone		c.i.(b)	Cross Drainage above Stream Crossings	
b.ii.(a)iii)	Yarding Corridors		c.i.(c)	Road Fills @ crossings seeded & mulched	
b.ii.(a)iv)	Add LWD		c.i.(d)	Roads in RPZ	
b.ii.(b)i)	Buffer Zone Width			Culverts	
b.ii.(b)ii)	Buffer Zone Trees		c.i.(e)	Inlet Protection>24"	
b.ii.(c)i)	Equip in RPZ		c.i.(f)	50 Year Design	
b.ii.(c)ii)	RPZ designation		c.i.(k)	Active Channels	
b.iii.(a-c)	Class IIa RPZ		c.i.(l)	Fish Passage	
b.iv.	Remove LWD		c.i.(g)	Road Tread rocked @ crossings w/high SEHR	
	Other		c.i.(h) & (n)	Road Cross Drainage	
			c.i.(i)	Road Clearing Width	
			c.i.(j)	Springs/Seeps	
				Other	

COMMENT OR EXPLANATION ON BACK

Date of Report:

INSPECTOR:

IDL ver01/09

<u>Form Distribution</u>		<u>Inspection Type</u>
<input type="checkbox"/> Program Manager	<input type="checkbox"/> Enrollee	<input type="checkbox"/> Pre-Operational
<input type="checkbox"/> Pvt Forestry Specialist/Resource Specialist	<input type="checkbox"/> Operator	<input type="checkbox"/> Operation in Progress
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Completed/Inactive

Appendix A-6

Idaho Forestry Program
Audit Form

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Idaho Forestry Program Audit Form

Compliance # _____ Project: _____
Enrollee: _____ Audit Type: _____
Date: _____

Site Specific Plan: _____

AUDIT FINDINGS:

Document Reference:

Proposed Corrective Action:

Audit Team Leader: _____ Date: _____

ACTION BY ENROLLEE:

Cause of findings:

Corrective action taken:

Team Leader: _____ Date: _____

VERIFICATION BY IDL:

Verified by: _____ Date: _____

Signature: _____

Team Leader Approval: _____ Date: _____

Appendix A-7

Idaho Forestry Program Non-Compliance Alert

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IDAHO DEPARTMENT OF LANDS

IDAHO FORESTRY PROGRAM NON-COMPLIANCE ALERT

In accordance with the terms agreed to in the Enrollee's agreement, certain terms of the Idaho Forestry Program are not being met on a regular or systematic basis. As a result of this the IDL is hereby alerting the Enrollee that this problem is occurring, with the specific job Notification numbers and terms listed below:

ENROLLEE:	NOTIFICATION(S):
NON-COMPLIANT TERM(S):	Term #:

DISCUSSION:	
REMEDIATION:	

IFP Program Manager

Date _____

Glossary and Abbreviations

BFW	Bank Full Width
BO	Biological Opinion
CWE	Cumulative Watershed Effects
ESA	Endangered Species Act
HUC	Hydrologic Unit Code
IDFG	Idaho Department of Fish and Game
IDEQ	Idaho Department of Environmental Quality
IDL	Idaho Department of Lands
IFP	Idaho Forestry Program
IFPA	Idaho Forest Practices Act
LOD	Large Organic Debris
LWD	Large Woody Debris
NEPA	National Environmental Policy Act
NFHCP	Native Fish Habitat Conservation Plan
NOAA	National Oceanic and Atmospheric Administration (generally in reference to NOAA Fisheries Service <i>also known as</i> National Marine Fisheries Service)
OHWM	Ordinary High Water Mark
ODF	Oregon Department of Forestry
OSHA	Occupational Health and Safety Act
PCT	Pre Commercial Thinning
RPZ	Riparian Protection Zone
SPZ	Streamside Protection Zone
SRBA	Snake River Basin Adjudication
TES	Threatened and Endangered Species
TMDL	Total Maximum Daily Load
TPA	Trees Per Acre
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geologic Service
WFPB	Washington Forest Practices Board

Thalweg: The thalweg is the line connecting the points of lowest bed elevation in a stream or river channel